

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6033 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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RAMESH H PATEL

Versus

STATE OF GUJARAT  
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Appearance:

MR Yagnik for GIRISH PATEL for Petitioners  
Mr.Digant P. Joshi, for Respondent No. 1  
MR SN SHELAT for Respondent No. 2  
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CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 14/03/2000

ORAL JUDGEMENT :

It is stated on behalf of the petitioners that during the pendency of this petition, the petitioners are promoted and therefore, the major part of the grievance of the petitioners stand redressed. The prayers made in

para 26 of the petition have become redundant by passage of time and also in view of the fact that the petitioners are promoted. It is also stated by Mr. Yagnik that the only question remains unresolved is that they are not granted the deemed date or date on which according to the petitioners they were entitled for promotion. On the other hand learned counsel for the respondents stated that under the old policy the requirement was of 5 years experience and therefore, the petitioners were not eligible for promotion. It is only because of change of policy whereby the requirement of 5 years experience was reduced to 2 years that the petitioners became eligible. The petitioners came to be promoted with effect from various dates, the details of which are submitted by the learned counsel for respondents.

2. The petition is already withdrawn qua petitioner no.1, Shri R.H. Patel. The other petitioners are promoted as under.

Petitioner no. Promoted on

2	05.02.1988
3	01.08.1988
4	05.02.1988
5	29.06.1987
6	17.10.1988

3. At this juncture, Mr.Yagnik requests that the petitioners may be permitted to make a representation to the authorities requesting the authorities to consider their prayer for deemed date of promotion. It is always open to the petitioners to make such a representation to the authorities. It goes without saying that the authorities will consider such representation in accordance with law taking into consideration the facts and circumstances of the case. The authorities shall consider such representation without being prejudiced by the order of disposing of this petition.

4. The petition stands disposed of. Rule is discharged with no order as to costs.

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